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SIPDIS

SENSITIVE

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TAGS: PHUM KCRM EZ

SUBJECT: Czechs vote to keep UN treaty; prostitution regulation bill stalled

1. This cable is Sensitive but Unclassified - not for internet distribution.

2. Summary: The Czech Parliament has refused to permit the government from withdrawing from a UN Convention on trafficking in persons, effectively stalling the country's prior efforts to pass a prostitution regulation bill. Unless the Czechs withdraw from the Convention, no legislation regulating prostitution may be passed. Given the bill's controversial nature and current fragile state of the Czech government, Convention withdrawal and bill passage seem unlikely. The Czechs meanwhile continue to bolster their national anti-TIP efforts and legislation. End summary.

3. (SBU) Efforts in the Czech Republic to pass a law regulating prostitution in the country were dealt a blow last week when Parliament voted not to withdraw from a United Nations treaty key to the issue. The 1950 UN Convention for the Suppression of the Traffic in Women and Children, ratified by the Czech Republic, prohibits the country from passing any law regulating prostitution. In order to pass the prostitution bill currently being proposed by the Interior Ministry, the Czechs would have had to first vote to withdraw from the UN Convention. Parliament's March 29 decision not to take this step makes the current attempt to pass the bill, like three earlier tries at similar legislation, a non-starter.

4. (SBU) The government's motion failed when 103 deputies (in the 200-member lower house) voted against. Two female MPs who attended a one-day trafficking seminar shortly before the vote on the Convention were particularly impressed by a speaker from the Coalition Against Trafficking in Women who examined the prostitution situation in countries where it has been legalized. The MPs suggested that, given the statistics about the increase in prostitution and trafficking in countries where it has been made legal, the measure to withdraw from the Convention was being hastily proposed without enough discussion in Parliament.

5. (SBU) The Czech Republic currently has no laws specifically dealing with prostitution, effectively making it a legal grey area. This lack of criminality, together with the sudden opening of borders after the fall of communism and the country's location in the heart of Europe, have led it to becoming a source, transit, and finally destination country for trafficking victims. Brothels have sprung up in Prague and around the country's border areas with its richer Western European neighbors, where foreigners come for cheaper sex tourism.

6. (SBU) As the sex trade is not currently illegal, the Security Policy Department of the Interior Ministry, who have responsibility for combating trafficking in the country, have struggled to come up with a way to give police more authority in dealing with traffickers. In April 2004, Cabinet approved the legal intent for plans to draft a law that would regulate prostitution in the country, the theory being that this would allow police to check the documents of brothel owners and sex workers and prosecute those not in compliance. The Interior Ministry drafted a proposed law, which then was sent to other ministries involved for approval and proposed changes.

7. (SBU) The proposed law has been criticized even by some NGOs involved in trafficking support and prevention who otherwise welcome some form of legislation giving police tools to crack down on traffickers. They point out that the bill has many holes, such as the fact that only women from EU countries would be able to register as prostitutes (whereas most prostitutes currently in the country are non-EU in origin), and that women who work part-time as prostitutes are unlikely to wish to register themselves and face possible public stigma. They claim that police corruption in carrying out checks would also likely present problems.

8. (SBU) Interior Ministry officials responsible for the prostitution regulation bill intend to continue technical work on the bill, and it will be up to Interior Minister

Bublan as to whether or not he chooses to propose the legislation to the Cabinet. However, given the current government situation and fact that Parliament has already voted down Convention withdrawal, the bill would be unlikely to even make it from Cabinet to Parliament. Post will continue to monitor this issue closely, but we remain skeptical about the GOCR's ability to pass such legislation in the near future.

CABANISS